

REMARKS

This response is offered in reply to the office action of January 28, 2004. A petition and fee for a three month time extension are enclosed.

Applicants acknowledge and appreciate allowance of claim 12.

In paragraph 1 of the office action, claims 1, 2, and 9-11 are rejected under 35 USC 102(b) in view of the Tuckey '739 patent.

Applicants have amended claim 1 in a manner believed to distinguish over the '739 patent. For example, the '739 patent discloses with respect to Figure 14 referred to by the examiner a fuel pressure regulator that includes a chamber 48 and a spring biased diaphragm 38 having a valve assembly 36 both received in a plastic regulator body 42 wherein the chamber 48 is merely disclosed as including a gas or air.

The examiner refers to Figure 15 and related written description as illustrating superatmospheric pressure in chamber 48. However, Figure 15 is disclosed in the patent as an alternative to previous embodiments that communicate unsealed chamber 48 to manifold pressure. Moreover, the superatmospheric pressure is supplied to chamber 48 by a computer controlled compressor 312 communicated to the chamber 48 via a tube 50.

The '739 patent does not disclose the features of claim 1 or of claims 2 and 9-11.

For example, with respect to claim 2, the '730 patent discloses a spring biased diaphragm 38 having a valve assembly 36 both received in a plastic regulator body 42.

With respect to claim 11, the '730 patent discloses to provide the superatmospheric pressure to chamber 48 by a computer controlled compressor 312 communicated to the chamber 48 via tube 50. There is no charge port metallurgically sealed after the chamber is charged with gas.

Reconsideration of the rejection of claims 1, 2, and 9-11 is requested.

In paragraph 2 of the office action, claims 3, 5-7, and 13 are rejected under 35 USC 102(b) in view of the Murphy '269 patent taken with the Tuckey '730 patent.

This rejection is believed to be in error. For example, the '269 patent is believed grossly deficient. For example, the '269 patent discloses with respect to Figure 3 referred to by the examiner a fuel pressure regulator that includes a second chamber in upper housing section 14 and a spring biased diaphragm 40 having a valve member 58 wherein the second chamber includes a vacuum port 17 connected to engine intake manifold vacuum. Moreover, the examiner acknowledges that the '269 is further deficient in that there is no disclosure that the second chamber is a gas-containing sealed chamber. This observation is correct.

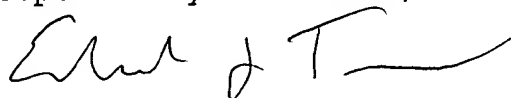
The examiner cites the '739 patent as making up for the gross deficiencies of the '269 patent. Applicants have already pointed out the gross deficiencies of the '739 patent above.

Moreover, the combination of the '269 and '739 patents does not yield Applicants' claims in that both patents expressly teach to employ spring-biased diaphragms and in that the '730 patent discloses with respect to Figure 15 to provide the superatmospheric pressure to chamber 48 in lieu of manifold pressure by a computer controlled compressor 312 communicated to the chamber 48 via tube 50.

Reconsideration of the rejection of claims 3, 5-7 and 13 is requested.

The pending claims are believed to be allowable, and action to that end is requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Edward J. Timmer", is written over a horizontal line.

Edward J. Timmer Reg. No. 27402

telephone: 1-269-629-9136

encl - Postal Card